

# **DEVELOPMENT SERVICES DEPARTMENT**

## **Planning & Zoning Division**

### **MEMORANDUM**

**PZ 03-25-99**

**04/7/99 COUNCIL AGENDA ITEM**

**TO:** Robert Rawls, Interim Town Administrator

**FROM:** Mark. A. Kutney, AICP, Development Services Director

**BY:** Jeff Katims, AICP, Planner II

**DATE:** April 15, 1999

**RE:** Corrective Ordinance

The attached Ordinance corrects Ordinance 98-17 adopted on April 1, 1998, which vacated a portion of Hawkes Bluff Road and associated easements within the Britannia Plat. Section 2 of Ordinance 98-17 incorrectly stated that utility easements were accepted by the Town within the area being vacated by the Ordinance. In fact, the Town neither requested nor accepted any such easements. The applicant for the vacation did, however, offer utility easements to the City of Sunrise, which provides sanitary sewer and potable water service to the site.

Prepared By: Planning and Zoning Div.  
Town of Davie  
6591 Orange Drive  
Davie , FL 33314

Return To: Town Clerk's Office  
Town of Davie  
6591 Orange Drive  
Davie, FL 33314

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE NO. 98-17 WHICH WAS AN ORDINANCE VACATING A PORTION OF 60 FOOT WIDE ROAD RIGHT-OF-WAY AND CUL-DE-SAC EASEMENT FOR HAWKE'S BLUFF AVENUE, TOGETHER WITH 12 FOOT UTILITY EASEMENT, 24 FOOT ROADWAY AND LANDSCAPE EASEMENT, AND 12 FOOT ANCHOR EASEMENT LOCATED ADJACENT TO HAWKE'S BLUFF AVENUE AND LOCATED WITHIN THE BRITANNIA PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council on the 1st day of April, 1998, adopted Ordinance No. 98-17 which was intended to vacate portions of right-of-way and easements located within the Britannia Plat; and

WHEREAS, Section 2 of Ordinance 98-17 referenced certain utility easements, within the area being vacated, that were accepted by another ordinance and which would not be vacated but would remain in perpetuity;

WHEREAS, there are no utility easements, within the area vacated by Ordinance 98-17, that have or should have been granted to the Town prior to adoption of Ordinance 98-17; and

WHEREAS, Section 2 of Ordinance 98-17 is incorrect and needs to be rescinded.

WHEREAS, the Town of Davie wishes to clarify and correct Ordinance 98-17.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That a portion of the right-of-way, cul-de-sac easement and related easements located in the Britannia Plat, specifically described on Exhibit "A" attached hereto, are hereby vacated by the Town of Davie.

SECTION 2. This Ordinance amends and corrects Ordinance 98-17 of the Town of Davie.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding, shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1999.

PASSED ON SECOND READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1999.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

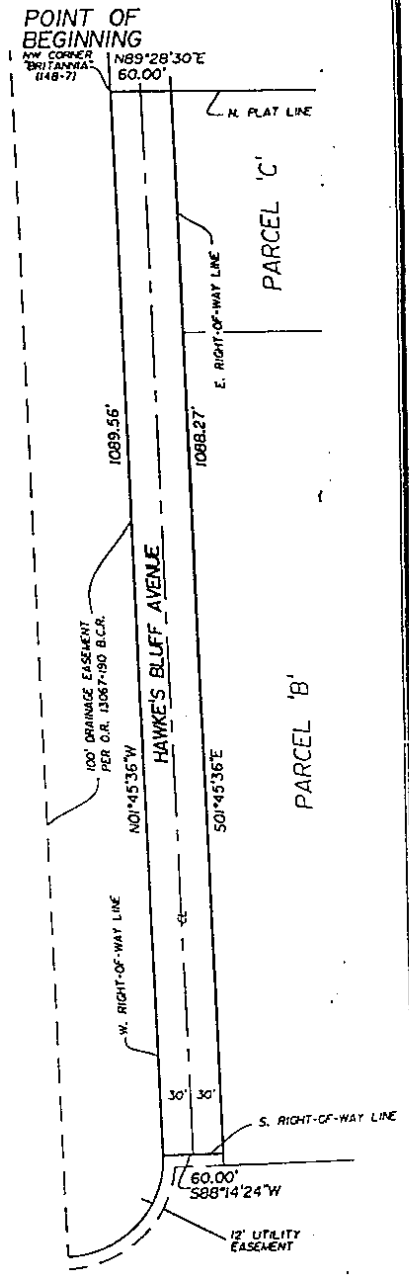
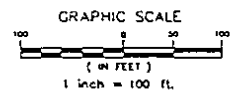
ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1999.

EXHIBIT "A"  
Page 1 of 6

Description : (60' RIGHT-OF-WAY TO BE VACATED)  
That portion of Hawke's Bluff Avenue as shown on the Plat of "BRITANNIA"  
according to the Plat thereof as recorded in Plat Book 148, Page 7 of the  
Public Records of Broward County, Florida, described as follows:  
BEGIN at the Northwest corner of said Plat; thence along the North line of  
said Plat, North 89°28'30" East (Plat Bearing) 60.00 feet to the East line of  
said Hawke's Bluff Avenue; thence along said East line, South 01°45'36" East  
1088.27 feet to the South line of said Hawke's Bluff Avenue; thence along  
said South line, South 88°14'24" West 60.00 feet to the West line of said  
Plat being the West line of said Hawke's Bluff Avenue; thence along said  
West line, North 01°45'36" West 1089.56 feet to the POINT OF BEGINNING.  
Said lands situate, lying, and being in the Town of Dove, Broward County,  
Florida and containing 65335 square feet (1.500 acres) more or less.



SKETCH AND DESCRIPTION

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

DATE	REVISIONS

CERTIFIED TO:  
**IVANHOE LAND INVESTMENTS, INC.**

**MILLER LEGG**  
ENGINEERS • PLANNERS  
LAND SURVEYORS  
ENVIRONMENTAL PROFESSIONALS

1600 N. DOUGLAS ROAD, SUITE 200  
PUEBLO, CO. 81001  
(303) 733-1000 FAX (303) 733-1001  
STATE OF COLORADO LICENSE NO. 6480

I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM  
TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF  
PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 18107-8,  
FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.017,  
FLORIDA STATUTES.

DATED THIS 21ST DAY OF AUGUST, 1987 A.D.

*John A. Brott*  
**JOHN A. BROTT**  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA REGISTRATION NO. 3603

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL  
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

PROJECT NO. **7332-01** FILE NO.

EXHIBIT "A"  
Page 2 of 6

Exhibit "A-1"

MEMO: Legality of original  
copy or printing satisfactory in  
the general when microfilm

DESCRIPTION: (Cal-De-Sue Lament)

A portion of Parcel "A" of "BRIANXIA" according to the Plat thereof as recorded in Plat Book 148, Page 7 of the Public Records of Broward County, Florida, said portion being more particularly described as follows:

BEARS at the Southwest corner of Parcel "B" of said Plat; thence on a Grid North bearing of North  $01^{\circ}45'30''$  West (based on said Plat) along the West boundary of said Parcel "B" also being the boundary of said Parcel "A" a distance of 11.94 feet to an angle point in the boundary of said Parcel "A"; thence South  $88^{\circ}14'24''$  West along the North boundary of said Parcel "A" and the South right-of-way line of Bivko's Bluff Avenue a distance of 60.00 feet; thence South of  $45^{\circ}36''$  East on a Southerly prolongation of the West right-of-way line of said Bivko's Bluff Avenue a distance of 85.42 feet to a point of curvature of a 45.00 foot radius curve concave to the North; thence Southerly, Easterly and Northerly along said curve, through a central angle of  $155^{\circ}09'00''$ , an arc distance of 184.09 feet to a point of reverse curvature of a 45.00 foot radius curve, concave to the Northeast; thence Northwesterly along said curve, through a central angle of  $55^{\circ}09'00''$ , an arc distance of 24.06 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in the town of Bivko, Broward County, Florida and containing 6.253 square feet (0.142 acres), more or less.

BK18479PC0609

EXHIBIT "A"  
Page 3 of 6

W&M's Legacy of service  
typing or printing unsatisfactory in  
this document when microfilm

**DESCRIPTION (Part-Deeds, Exemptions)**

A portion of Parcel "A" of "BILLYVILLE" according to the Plan thereof as recorded in Plan Book 114, Page 3 of the Public Records at Broward County, Florida, said portion being more particularly described as follows:

North at the Southwest corner of Parcel "B" of said Billyville thereon a Grid North bearing of South 01°42'30" West (thereon said Parcel) along the West boundary of said Parcel "B" also being the boundary of said Parcel "A" a distance of 11.00 feet 18.00 feet to the boundary of said Parcel "A"; thence South 86°14'20" West along the North boundary of said Parcel "A" and the South right-of-way line of Rucker's Bluff Avenue a distance of 100.00 feet thence South 01°42'30" East on a Southerly prolongation of the West right-of-way line of said Rucker's Bluff Avenue a distance of 100.00 feet to a point of curvature of a circular curve tangent to the North right-of-way line of Rucker's Bluff Avenue and the South right-of-way line of Rucker's Bluff Avenue, an arc distance of 100.00 feet to a point of reverse curvature of a circular curve tangent to the North right-of-way line of Rucker's Bluff Avenue and the South right-of-way line of Rucker's Bluff Avenue, through a central angle of 100.00 feet to the point of intersection.

RECORDED IN THE OFFICIAL RECORDS OF BROWARD COUNTY, FLORIDA  
L. A. HESTER  
COUNTY ADMINISTRATOR

**SKETCH AND DESCRIPTION**

IVANHOE LAND INVESTMENTS, INC.

Surveyed by: L. A. HESTER, COUNTY ADMINISTRATOR

Surveyed on: 10/1/79

Surveyed for: IVANHOE LAND INVESTMENTS, INC.

Surveyed by: L. A. HESTER, COUNTY ADMINISTRATOR

Surveyed on: 10/1/79

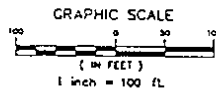
Surveyed for: IVANHOE LAND INVESTMENTS, INC.

BX18479PC0610

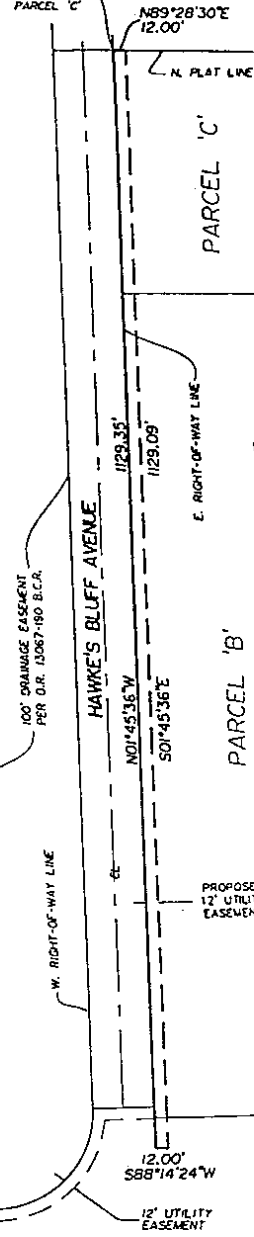
**EXHIBIT "A"**  
**Page 4 of 6**

SHEET 1 OF 1

Description : (12' UTILITY & ANCHOR EASEMENT TO BE VACATED)  
 That portion of Parcels 'A', 'B' and 'C' of "BRITANNIA" according to the Plat thereof as recorded in Plat Book 148, Page 7 of the Public Records of Broward County, Florida, described as follows:  
 BEGIN at the Northwest corner of said Parcel 'C'; thence along the North line of said Parcel 'C', North 89°28'30" East (Plat bearing) 12.00 feet; thence along a line parallel with and 12.00 feet East the East Right-of-way line of Hawke's Bluff Avenue as shown on said Plat; South 01°45'36" East 1129.09 feet; thence South 88°14'24" West 12.00 feet; thence along the East line of said Hawke's Bluff Avenue and its Southerly extension, North 01°45'36" West 1129.35 feet to the POINT OF BEGINNING.  
 Said lands situate, lying, and being in the Town of Davis, Broward County, Florida and containing 13551 square feet (0.311 acres) more or less.



POINT OF BEGINNING  
 NW CORNER  
 PARCEL 'C'



**SKETCH AND DESCRIPTION**

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

DATE	REVISIONS	BY	CHK

CERTIFIED TO:  
**IVANHOE LAND INVESTMENTS, INC.**

**MILLER LEGG**  
 ENGINEERS • PLANNERS  
 LAND SURVEYORS  
 ENVIRONMENTAL PROFESSIONALS  
 1800 N. DOUGLAS ROAD, SUITE 200  
 FORT LAUDERDALE, FLORIDA 33304  
 (954) 541-7000 FAX (954) 541-7954  
 CERT. OF AUTHORIZATION L.B. 9640

I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 81C17-8, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.  
 DATED THIS 21ST DAY OF AUGUST, 1997 A.D.  
*John A. Brutt*  
 JOHN A. BRUTT  
 PROFESSIONAL SURVEYOR AND MAPPER  
 STATE OF FLORIDA REGISTRATION NO. 3805  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER  
 PROJECT NO. 7332-01  
 FILE NO.

DRAWN BY: PSS CHECKED BY: JAB

EXHIBIT "A"

Page 5 of 6

REMOVAL Legibility of writing  
or printing unsatisfactory in  
the document when microfilmed

DESCRIPTION: (Roadway and Landscape Easement)

The West 24.00 feet of Parcels 'B' and 'C' of "BRITANNIA", according to the Plat thereof as recorded in Plat Book 148, Page 7 of the Public Records of Broward County, Florida; together with that portion of Parcel 'A' of said Plat described as follows:

BEGIN at the Southwest corner of said Parcel 'B' also being an angle point on the North boundary of said Parcel 'A'; thence on a Grid North bearing of North-88°14'24" East (based on said Plat) along said North boundary a distance of 24.00 feet; thence South 01°45'36" East a distance of 35.00 feet to a point on the arc of a 45.00 foot radius curve, concave to the Southwest, whose center bears South 58°18'49" West; thence Northwesterly along said curve, through a central angle of 25°13'25", an arc distance of 19.81 feet to a point of reverse curvature of a 25.00 foot radius curve, concave to the Northeast; thence Northwesterly along said curve, through a central angle of 55°09'00" an arc distance of 24.00 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in the Town of Davie, Broward County, Florida and containing 26,887 square feet (0.617 acres), more or less.

AX10479PG0613



**EXHIBIT "A"**  
**Page 6 of 6**

EXHIBIT "A-2"

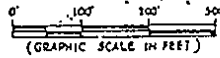
the word "the" is used in the "and" of "reflections" according to the first theory. It is noted in that book 16 lines 2 of the table for the "and" family. However, they with that part of the "and" of said flat is stated as follows:

[illegible]

Sold lands allstate, lying and being in the <sup>1st</sup>/<sub>4</sub> of Sec. 10,  
Barnard County, Florida and containing 26.87 square feet  
(0.617 acres), more or less.

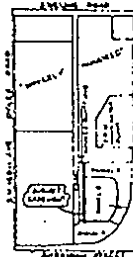
RECORDED IN THE OFFICIAL RECORDS SECTION  
OF BUREAU OF THE DISTRICT ATTORNEY  
L. A. HESTER  
COUNTY ADMINISTRATOR

NOTE: P.A.B. - POINT OF BEGINNING



LOCATION MAP

YH SECTION 4-51-40



**MAY 1960**

11/10/82 12.31 Operations and maintenance  
for National Security Agency Bureau of  
1000 1st Street, N.W. and 1000 1st Street  
N.W. 1000 1st Street, N.W.

2. The following information is being furnished to you for your information only. It is not to be used for any other purpose.

Amount from Liquidation Proceeds of \$100,000  
Less: Amount from Liquidation Proceeds of \$100,000  
Total \$100,000


Date of Birth: 1-10-1941  
 File No: 104  
 No. of Pages: 1

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H. P. LEM & ASSOCIATES  
LAND SURVEYORS

1960 2. 000,00 1961 2. 000,00  
1962 2. 000,00 1963 2. 000,00  
1964 2. 000,00 1965 2. 000,00

DATE GRAPHIC	SKETCH & DESCRIPTION...
ENTRANCE TO	IVANHOE LAND

INVESTMENTS, INC.

Subscribed and sworn to before me this 25th day of May, 1961.

STATE OF TEXAS  
COUNTY OF DALLAS

FILE NO. 51A-73

BK1847980614